IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 3951 of 1994

Between:

M/s.Bharat Dynamics Limited, Rep. Chairman and M.D.,
Kanchanbagh, Hyderabad.

..... PETITIONER

AND

1 The Additional commissioner (CT)-cum-Joint Commissioner (CT)

(Legal), Hyderabad.
2 The Deputy Commissioner (CT), Charminar Division, Hyderabad.
3 The Commercial Tax Officer, Malakpet Circel, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records and issue a Writ of Certiorari or other appropriate writ, order or direction quashing the order of the Additional Commissioner (CT) & Joint Commissioner (CT) (Legal) Hyderabad, dated 23/02/1994 C.C.T. 's of L.V(1)/414/94 against the orders in revision of the Deputy Commissioner (CT), Charminar Division, in proceedings R.R.No. 40/92 dated 7/2/1994.

Counsel for the Petitioner:MR.P.R.RAMACHANDRA RAO

Counsel for the Respondent No.: GP FOR COMMERCIAL TAXES

The Court made the following O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

This writ petition has been filed seeking stay of the recovery of the disputed tax, pending disposal of appeal in T.A. No.104 of 1994, before the Sales Tax Appellate Tribunal, Hyderabad.

Nobody appears. Stay had been granted by this Court while entertaining the writ petition on 11-03-1994. More than ten years have passed and we presume that the appeal must have been decided. As nobody appears for petitioners, in these circumstances, we declare that this writ petition has become infructuous.

The writ petition is accordingly dismissed. No order as to costs.

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(Bilal Nazki, J)

26th August, 2004.

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(P.S.Narayana,J)

vrn

To

1 The Additional commissioner (CT)-cum-Joint Commissioner (CT)

(Legal), Hyderabad.
2 The Deputy Commissioner (CT), Charminar Division, Hyderabad.
3 The Commercial Tax Officer, Malakpet Circel, Hyderabad.

4 Two C.Cs to the Government Pleader for Commercial Taxes,

Hyderabad.

5 Two C.D. copies